

BEFORE THE APPELLATE AUTHORITY
(Under the Right to Information Act, 2005)
SECURITIES AND EXCHANGE BOARD OF INDIA

Appeal No. 5803 of 2023

Limbasiya Anil Chandubhai	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated August 17, 2023 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (hereinafter referred to as “**RTI Act**”). The respondent, by a letter dated August 24, 2023 responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/23/00199) dated September 21, 2023. I have carefully considered the application, the response and the appeal and find that the matter can be decided based on the material available on record.
2. **Query in the application**– The appellant, vide his application dated August 17, 2023, sought the following information:

“Request to you that please give me allotment details of last five SME IPO with PAN number of SKYLINE FINANCIAL SERVICES PVT LTD.”
3. **Reply of the Respondent** - The respondent in response to the query, inter alia, informed that the information sought is not available with SEBI. However, allotment details are available on website of Stock Exchanges. The respondent has provided the relevant links of the websites.
4. **Ground of appeal**- The appellant has filed the appeal on the ground that information provided was incomplete, misleading or false information. Further, the appellant, in his appeal, has, inter alia, requested:
“I want to know the allotment details with PAN number and name of last 5 SME IPO before 14/08/2023 which was allotment by skyline financial services pvt. ltd. Request you that please collect details from above said company and provide to me. I need to allotment details with name or PAN number of last 5 SME IPO...”

5. I have perused the query and the response provided thereto. I note that the respondent has categorically stated that the requested information is not available with Securities and Exchange Board of India (hereinafter referred to as “SEBI”). I note that the respondent can only provide information that is available in the records. Further, the appellant in his appeal, has, inter alia, requested SEBI to collect the information from the company and provide it to him. In this context, I note that the Hon’ble Supreme Court of India in *Central Board of Secondary Education & Anr. vs. Aditya Bandopadhyay & Ors*, 2011 (8) SCC 497 (Judgment dated August 9, 2011) held that *“The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of ‘information’ and ‘right to information’ under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant.”* On consideration, I find that the application has been adequately addressed and I do not find any deficiency in the response.
6. In view of the above observations, I find that there is no need to interfere with the decision of the respondent. The Appeal is accordingly dismissed.

Place: Mumbai

Date: October 11, 2023

ANAND BAIWAR
APPELLATE AUTHORITY UNDER THE RTI ACT
SECURITIES AND EXCHANGE BOARD OF INDIA